



July 25, 2008

Newspapers: Billings, Bridger

RE: Notice of Application for a Minor Revision to Bighorn Limestone Operating Permit 00008 to Construct an Overhead Conveyor System across US Highway 310 near the Existing Railroad Loadout Located near Warren, MT in Carbon County

Dear Editor:

Please place the following notice in the legal publication section of your newspaper once a week for three weeks:

Legal Notice

Application for construction of an overhead conveyor system across US Highway 310 near Warren, MT in Carbon County

Bighorn Limestone Company (BHL) (Operating Permit 00008) has applied to the Department of Environmental Quality (DEQ) for a minor revision to the permit to include additional acreage to be disturbed to facilitate a new truck dump, rail loadout and haul road near the existing rail loadout area. The site is located at NW¹/₄ Sec 15, T9S, R25E, and in the NW¹/₄, NE¹/₄ Sec 15, T9S, R25E. BHL currently has a truck dump and rail loadout facility but it needs to be expanded due to increasing demand.

The capacity of the new truck dump and rail loadout facility is being designed to handle in excess of 550,000 tons of limestone per year. The new truck dump site would be constructed on the east side of US Highway 310. Limestone would be screened and transported over the top of the highway in a closed tube gallery conveyor to loadout hoppers located west of US Highway 310 and east of the current BNSF rail.

Elevating the conveyor over the highway instead of under the highway is a function of limited space between the highway and the rail. By elevating the conveyor over the highway BHL would increase the safety of the traveling public. Currently, limestone to be loaded on the rail is trucked from the quarry to the existing truck dump and rail loadout facility adjacent to US Highway 310. Trucks have to cross Highway 310 to access the loadout. Reducing truck traffic will

lower potential conflicts that can occur at the highway crossing. BHL believes this proposed facility will provide a safer environment for the traveling public in the Warren area.

The minor revision includes 9.9 acres of disturbance located near the existing rail loadout. A portion of the conveyor corridor (0.4 acres) is located in the Montana Department of Transportation (MDOT) right-of-way. An encroachment permit from MDOT is being pursued. A new haul road from the existing quarry road to the proposed truck dump site would be permitted and constructed as part of this facility. Currently, 491.9 acres are permitted. The minor revision would add 9.9 acres for a total permit area of 501.8 acres. The proposed truck dump, rail loadout, and haul road is necessary to allow BHL to meet its current and future contractual obligations.

Copies of the application can be reviewed by the public at DEQ offices at 1520 E. 6th Ave., in Helena, MT. For information on the project and to submit comments on the proposal, contact:

Herb Rolfes
Operating Permit Section Supervisor
Environmental Management Bureau
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901
(406) 444-3841 or e-mail at hrolfes@mt.gov

To expedite payment, please send your *invoice, tear sheet, and affidavit of publication* to DEQ at the address above to the attention of Laura Turner. Please indicate that the bill applies to **EMB 5039-0022**. Thank you.

Sincerely,

Herb Rolfes
Operating Permit Section Supervisor
Environmental Management Bureau
Department of Environmental Quality
P.O. Box 200901
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